

1FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Clark R. Baker, Jr. et al

Serial No.: 10/806,647

Filed: March 22, 2004

For: PULSE OXIMETER WITH
PARALLEL SATURATION
CALCULATION MODULES

§
§ Group Art Unit: 3768
§
§
§ Examiner: Berhanu, Etsub D.
§
§
§ Atty. Docket: TYHC:0110-5/FLE
§ 009103-009632US
§
§

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. § 1.6(d), or is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4), or is being deposited with the U.S. Postal Service with sufficient postage as First-Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

June 19, 2007

Date

Seanelle Dice

Sir:

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.97(b) AND 1.98

In compliance with the duty of disclosure under 37 C.F.R. § 1.56(a), it is respectfully requested that this Information Disclosure Statement be entered and that the listed references be considered by the Examiner and made of record. Applicants note that, due to recent amendments to 37 C.F.R. § 1.98(a), copies of the listed domestic references are no longer required to be submitted to the Examiner.

In accordance with 37 C.F.R. § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), or

as a representation that no other possibly material information, as defined in 37 C.F.R. § 1.56(b), exists.

Furthermore, the references listed on the attached PTO/SB/08 Form is not to be construed as an admission that these references qualify as prior art as to the above-referenced application or any related application. Rather, these references are being presented for the Examiner's consideration without prejudice to the right to demonstrate that any of these references do not qualify as prior art should the Examiner choose to apply any of these references.

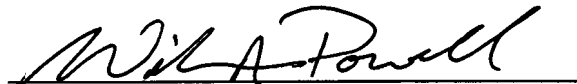
The following information is listed below in accordance with 37 C.F.R. §1.98. Any explanation of non-English language documents contained in this Information Disclosure Statement is believed to constitute a concise explanation of the relevance of the listed reference as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the listed reference, in accordance with 37 C.F.R. § 1.98(a)(3).

It should be noted that the present application is a continuation of Application No. 10/072,589, now U.S. Patent No. 6,836,679, filed February 5, 2002, which is a continuation of Application No. 09/435,143, filed November 5, 1999, now U.S. Patent No. 6,411,833, which is a continuation of Application No. 09/137,479, filed August 20, 1998, now U.S. Patent No. 6,083,172, which is a divisional of Application No. 08/660,510, filed June 7, 1996, now U.S. Patent No. 5,853,364, which claims the benefit of Provisional Application No. 60/000,195, filed June 14, 1995. Also, the present application is related to the following applications and patents: (1) Application No. 11/039,529, filed January 19, 2005; (2) Application No. 09/435,144, filed November 5, 1999; (3) Application No. 09/876,004, filed June 6, 2001, now U.S. Patent No. 6,721,584; (4) Application No. 10/775,497, filed February 9, 2004, now U.S. Patent No. 7,130,671; (5) Application No. 10/964,249, filed October 12, 2004; (6) Application No. 11/070,629, filed March 1, 2005; and (7) Application No. 11/406,188, filed April 18, 2006.

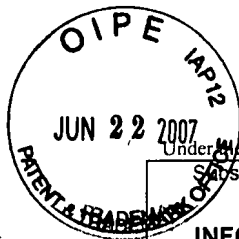
Applicants believe this Information Disclosure Statement is properly filed in accordance with 37 C.F.R. § 1.97(b). Consequently, no fee is believed due with this Information Disclosure Statement. However, the Commissioner is authorized to charge any requisite fee for this Information Disclosure Statement, and any additional fee which may be required, to Deposit Account No. 06-1315; Order No. TYHC:0110-5/FLE (9103-009632US).

Respectfully submitted,

Date: June 19, 2007

A handwritten signature in dark ink, appearing to read "W. Allen Powell", is written over a horizontal line.

W. Allen Powell
Registration No. 56,743
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known		
				Application Number	10/806,647	
				Filing Date	March 22, 2004	
				First Named Inventor	Clark R. Baker, Jr. et al.	
				Art Unit	3768	
Examiner Name	Berhanu, Etsub D.					
Sheet	1	of	1	Attorney Docket Number		TYHC:0110-5/FLE (009103-009632US)

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
	A1	US-	4,603,700	08-05-1986	Nichols et al.	
	A2	US-	4,653,498	03-31-1987	New, Jr. et al.	
	A3	US-	4,714,341	12-22-1987	Hamaguri et al.	
	A4	US-	4,817,013	03-28-1989	Corenman et al.	
	A5	US-	4,972,842	11-27-1990	Korten et al.	
	A6	US-	5,190,038	03-02-1993	Polson et al.	
	A7	US-	5,351,685	10-04-1994	Potratz	
	A8	US-	5,398,682	03-21-1995	Lynn	
	A9	US-	5,503,148	04-02-1996	Pologe et al.	
	A10	US-	5,575,284	11-19-1996	Athan et al.	
	A11	US-	5,575,285	11-19-1996	Takanashi et al.	
	A12	US-	5,588,439	12-31-1996	Hollub	
	A13	US-	5,605,151	02-25-1997	Lynn	
	A14	US-	5,676,141	10-14-1997	Hollub	
	A15	US-	5,769,785	06-23-1998	Diab et al.	
	A16	US-	6,002,952	12-14-1999	Diab et al.	
	A17	US-	6,067,462	05-23-2000	Diab et al.	
	A18	US-	6,081,735	06-27-2000	Diab et al.	
	A19	US-	6,236,872	05-22-2001	Diab et al.	
	A20	US-	6,650,917	11-18-2003	Diab et al.	
	A21	US-	6,699,194	03-02-2004	Diab et al.	
	A22	US-	6,745,060	06-01-2004	Diab et al.	

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B1					
	B2					
	B3					
	B4					
	B5					
	B6					

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.